IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION No. 5676 OF 2004

Supdt., State Excise
v.
Anil Narsingrao Jawanjal

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.T.R. Khankale A.G.P., for the Petitioner.
Mr.R.L.Khapre Advocate for the Respdt.

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CORAM: A.B. CHAUDHARI, J.
DATED : 21st AUGUST, 2007.

Mr.Kankale, A.G.P., reports that this file is not allotted to any A.G.P. Heard Mr.Khapre, learned counsel for respondent.

2. What is under challenge is an order rejecting the application for grant of stay in pending revision filed by the petitioner before the Industrial court. The only point that was sought to be raised before the Industrial Court to make out a prima facie case was that the petitioner was not an Industry. The Industrial Court having gone through the record found that the said plea was not set up in the written statement filed by the petitioner before the

Industrial Court and, therefore, it was impermissible to consider the said point. Consequently, the Industrial Court refused to grant stay as no prima facie case was made out. The Industrial Court further observed that there was delay in filing revision and delay was condoned. For all these reasons, the Industrial Court refused to grant interim relief in the pending revision. It appears that the revision is still pending in the Industrial Court. In the interest of justice, the writ petition is disposed of with direction to the Industrial Court to decide the pending revision as early as possible, and in any case within six months from the date of receipt of Writ of this Court. Petition disposed of.

JUDGE

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